



**Little Bookham & Effingham  
Preschool**

Low Level Concerns Policy

The purpose of the Low-Level Concerns Policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour which are set out in the preschool code of conduct are monitored and reinforced by all staff.

We aim to:

- ensure that staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate staff behaviour from concerning, problematic or inappropriate behaviour in themselves and others.
- empower staff to share any low-level concerns with the DSL and to help all staff to interpret the sharing of such concerns as a neutral act.
- address unprofessional behaviour and support the individual to correct it at an early stage
- Identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with, or referred to, the Local Authority Designated Officer (LADO)

What are low-level concerns?

A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Low level concerns may arise as a result of naivety, be accidental or unintentional, be the result of misinformed action, a failure to follow procedures, a lack of training or, more rarely, deliberate abuse.

Examples of low-level behaviour would include, but is not limited to:

- Being over friendly with children
- Having favourites
- Engaging with a child on a one-to-one basis in a secluded area
- using inappropriate sexualised, intimidating or offensive language towards or in front of a child.
- Humiliating a child
- Excessive one to one attention beyond the requirement of their role and responsibility

The term 'low-level' concern does not mean that it is insignificant, it means that the conduct towards a child does not meet the harm threshold set out in KCSIE.

### Sharing low-level concerns

It is important that low-level concerns are shared with the DSL (Emma Smitheman) or the DDSL (Catherine Porch), as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident) – although it is never too late to share a low-level concern.

If there is a conflict of interest in sharing a low-level concern with the DSL and the DDSL, advice should be sought from the LADO.

Where the low-level concern is provided verbally, the DSL will make an appropriate record of the conversation following the discussion and will exercise sound professional judgement in determining what information is necessary to record for safeguarding purposes.

Staff are encouraged to consent to be named when sharing low-level concerns, as this will help to create a culture of openness and transparency. If the staff member who raises a low level concern does not wish to be named, the preschool will respect that person's wishes as far as possible. However, there may be circumstances where the staff member will need to be named (for example, where disclosure is required by a court or local authority, or under a fair disciplinary process) and, for this reason, the preschool will not promise anonymity to members of staff who share low-level concerns.

### Self Reporting

The raising of low-level concerns is a professional dialogue in line with good practice and should provide opportunities for shared learning. It is an important step if the adult has found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

Self-reporting in these circumstances can be positive for a number of reasons, and staff are encouraged to self report on the basis that:

- It is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity
- It demonstrates awareness of the expected behavioural standards and self awareness of how their own actions could be perceived
- It is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

### Responding to low-level concerns

Once the DSL has received the concern they will:

- Speak to the person who raised the low-level concern (unless it has been raised anonymously).
- Speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).
- Speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).
- If they are in any doubt, seek advice from the LADO – on a no-names basis if necessary.

Review the information and determine whether the behaviour in question:

- (a) is entirely consistent with the preschool's Staff Code of Conduct and the law;
- (b) constitutes a low-level concern;
- (c) is not serious enough to consider a referral to the LADO but might be worth seeking advice from the LADO, and on a no-names basis if necessary;
- (d) when considered with any other low-level concerns previously raised about the same person, could now meet the threshold of an allegation, and should be referred to the LADO/other relevant external agencies.

Where a pattern of behaviour moves from a concern to meeting the harm threshold we will contact the LADO within 24 hours and further advice will be taken. For example, if an adult (including volunteers and contractors) has done any or all of the following:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The DSL will ensure that appropriate and detailed records are kept of all internal and external conversations regarding the concern, the outcome, the rationale for their decision and any actions taken, and retain records.

#### Action to be taken if the behaviour constitutes a low level concern

Most low-level concerns by their very nature are likely to be minor. Some will not give rise to any ongoing concern and, accordingly, will not require any further action. Others may be most appropriately dealt with by means of staff supervision and/or training. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised.

Any such conversation with individuals in these circumstances will include being clear with them as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain this. The DSL will be clear about the consequences if they fail to reach the required standard or repeat the behaviour in question.

Ongoing monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment which is agreed with the individual, and regularly reviewed with them, may also be appropriate.

#### References

Where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and is found to be substantiated, it will be referred to in a reference.

Low-level concerns (or a group of concerns) which have not met the threshold for referral to the LADO will not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance.